



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: .

Akira ISHIKAWA, *et al.*

Appl. No. 10/686,502

Filed: October 14, 2003

For: MAGNETIC TAPE

Art Unit: 1773

Examiner: Stevan A. Resan

Atty. Docket: 05911.0007.CNUS05

Confirmation No. 3549

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Among the references listed in the accompanying Form PTO-1449, the following four U.S. patents are believed to be particularly relevant to the claims in a related application, Serial No. 10/346,197 (the '197 application), filed January 16, 2003. The claims of the '197 application were copied from U.S. Patent Nos. 6,236,529 and 6,549,363, which are the subject matter of a patent infringement lawsuit against Quantum Corporation. The Answer, Interrogatory Responses, Expert Reports, Rule 282 Notice, and references cited therein, as well as an Amendment and Office Action in the '197 application, are included herewith. In addition, reference nos. 1, 50, 60, 76, and 83-88 were considered in one of the parent applications of the instant application, U.S. Application Serial No. 10/170,830 filed June 13, 2002, and copies of these references are not included herewith except that reference no. 76 (JP 57-120230) is enclosed, with the English translation.

**U.S. patent 5,535,190 (Moore et al.)**

U.S. patent 5,535,190 (Moore et al.) describes disc and tape media that incorporate both optical servo information and magnetic storage. The '190 patent describes several embodiments

of tape media, and illustrates two such embodiments in Figures 4 and 5. In Figure 4, one side of the tape media is coated with “transparent magnetic recording material 60 affixed to the lower surface of the [tape] substrate 52.” ‘190 patent, col.5 ll.39-41. The opposite side of the tape carries optically detectable information. The tape has “an upper surface 54 of which has been embossed or otherwise provided with a pattern of replicated features representing digitally encoded, optically detectable information.” ‘190 patent, col.5 ll.29-33. The optically detectable information may be arranged as a “plurality of parallel tracks bearing [an] optically detectable pattern.” ‘190 patent, col.2 ll.53-55. The ‘190 patent describes that the optically detectable pattern carries servo tracking information to be used for reading and writing to the magnetic portion of the medium: “Where the optically detectable pattern includes servo tracking information, such a method may further comprise optically detecting the servo tracking information by means of a beam of light and using the detected information to control the position of both the beam of light and a magnetic recording head on the medium.” ‘190 patent, col.3, ll.25-31. *See also*, ‘190 patent, col.5 ll.3-9.

The ‘190 patent describes that, in the Figure 4 embodiment, the optical information, including the servo tracking information, can be accessed with a light source that originates from the lower surface of the tape. *See* ‘190 patent, col.4 ll.61-65 (“the underside of the substrate 36, i.e., the surface through which a light beam is typically directed when reading out the optically detectable embossed pattern”); col.5 ll.46-48 (“a light beam may still be directed from the bottom to retrieve the optically encoded data”). Alternatively, the optical information may also be accessed from the top surface of the media. *See* ‘190 patent, col.5 ll.48-50 (“[a] light beam may also be directed through the topmost magnetic layer to play back optically encoded data”). access to optical information may be had from the top surface). Figure 6 of the ‘190 patent illustrates a system in which the optical servo information, is accessed from optical sensor 106 and magnetic information is accessed from magnetic recording/playback head 108. In the embodiment shown in Figure 6, both optical sensor 106 and magnetic recording/playback head 108 are located on the same side of the media. In contrast, in the embodiment shown in Figure 7 of the ‘190 patent, optical information, including servo information, is accessed from a laser beam/photocell detector 134 on one side of the media and the magnetic information is accessed from a magnetic head assembly 136 on the other side of the media. *See* ‘190 patent, col.7 ll.49-

54, col.3 ll.4-11.

The '190 patent also describes how optical servo information is used in this arrangement to adjust the location of the magnetic head. *See* '190 patent, col.7 ll.54-63. While the media shown in Figure 7 is a CD, the '190 patent describes that the disclosed media can also take the form of magnetic tape. *See* '190 patent, col.2 ll.53-55, col.8 ll.34-40. The '190 patent states that using servo tracks with magnetic media allows the density of the magnetic tracks on any individual disk or tape to be increased. *See* '190 patent, col.5 ll.9-18.

**U.S. patent 5,462,823 (Evans et al.)**

U.S. patent 5,462,823 (Evans et al.) describes disc and tape media that incorporate both optical servo information and magnetic storage. *See* '823 patent, col.4 l.59 (invention applicable "in the preparation of magnetic tapes, disks"). The magnetic media of the '823 patent includes photosensitive layers that can be exposed to form optical servo features. *See* '823 patent, col.4 ll.46-47 ("[t]he primary purpose of the present invention is to provide optical servo tracking information"). The '823 patent describes that the photosensitive layer can be located on the same side of the media as the magnetic recording medium, or on the opposite side. *See* '823 patent, col.4 l.66 – col.5 l.3 ("The photosensitive layer may be provided on one or both sides of the [magnetic recording] element, and in the case of a single media layer materials, the photosensitive layer may be provided on the same or on the reverse (non-coated) side of the support.") Figure 2b of the '823 patent illustrates a "single layer" magnetic recording element in which magnetic recording medium 3 is located on one side of non-magnetic support 1 and photosensitive layer 7 is located on the other side. *See* '823 patent, col.4 ll.3-6, col.9 ll.50-55.

The '823 patent describes that the photosensitive layer may be exposed using a scanning laser or a flood exposure through a suitable mask. *See* '823 patent, col.5 l.64 – col.6 l.9. Exposure of the photosensitive layer alters the optical appearance of the exposed regions. "[T]he difference in absorption characteristics between the exposed and the unexposed regions of the imaged layer is used to provide a servo pattern." '823 patent, col.6 ll.30-32. The servo information is used to position the magnetic read/write head, allowing increased density of the magnetic tracks. *See* '823 patent, col.1 ll. 43-47, 52-62.

**U.S. patent 4,816,939 (Ford et al.)**

U.S. patent 4,816,939 (Ford et al.) describes magnetic media, including both disks and

tape, which employ optically observed servo tracks. The magnetic media may include a layer 16 of magnetic recording particles on one surface of a transparent support 12, as illustrated in Figure 3, and a optical grating 22 constructed of alternating opaque and clear lines, on the opposite side of the transparent support 12. *See* '939 patent, col.6 ll.23-29. As illustrated in Figure 4, the '939 patent also discloses two sided media that include a second layer of magnetic recording particles 16a, located on the same side of transparent support 12 as optical grating 22. *See* '939 patent, col.6 ll.29-32. While Figures 3 and 4 are described in terms of disk media, the patent states that the same techniques can be used with tapes. *See* '939 patent, col.5 ll.58-63. The patent states, for example, that while the optical grating 22 should be circular for a disk, the gratings should be straight lines for tape media. *See* '939 patent, col.7 ll.24-28.

The '939 patent also describes how magnetic media containing optical gratings can provide servo information to keep magnetic read/write heading in alignment with a particular desired track. The apparatus for reading the tape media includes a light source on one side of the media, and a reference grating and light detector on the other. In Figure 9, for example, the light originates from IR laser diode 330, passes through floppy disk media 20a and optical grating 322 before being detected by photodetector 306. *See* '939 patent, FIG. 9, col.8 ll.11-28. The interference pattern created by the IR light passing through gratings in the media and the reference grating creates a moiré pattern that can be used to provide servo information and control for the disk or tape drive. *See* '939 patent col.7 ll.18-28. *See also*, '939 patent, col.3 l.61 – col.4 l.2 (“changes in the moire patterns formed by light transmitted through the optical grating in the magnetic recording medium and through a second or reference optical grating ... [are used] to adjust the relative position of a read/write head or magnetic transducer with respect to the media in response to the detected changes in the moire pattern.”), col.8 ll.2-8, col.8 ll.28-32.

**U.S. patent 5,067,039 (Godwin et al.)**

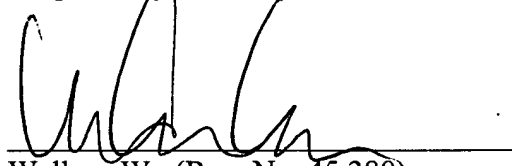
U.S. patent 5,067,039 (Godwin et al.) describes magnetic tape and disk media that incorporate optical servo tracks. Figure 2 of the '039 patent illustrates a magnetic disk with first magnetic recording layer 44 on one side of a substrate layer 42 and a magnetic recording layer 45 on the other side of substrate layer 42. *See* '039 patent, col.5 ll.40-46. The surface 22 of the first magnetic recording layer contains depressed regions or pits 26. *See* '039 patent, col.5 ll.50-51. The pits 26 form optical servo tracks 14 which are arranged in equally spaced concentric circles

on the magnetic disk. *See* '039 patent, col.5 ll.6-10. The '039 patent discloses that similar tracks can be formed on a tape, as illustrated in Figures 7A and 7B. *See* '039 patent, col.8 ll.30-35; FIGS. 7A & 7B.

Because the pits 26 reflect less light than the surrounding surface the optical servo tracks 14 made from these pits can be detected by an optical head. *See* '039 patent, col.7 ll.63-68. The resulting optical information can be used to position the magnetic head: "The position of the optical servo tracks 14 is electronically processed to yield servo information for positioning the magnetic head 38 over the data recording areas 18." '039 patent, col.7 ll.60-63.

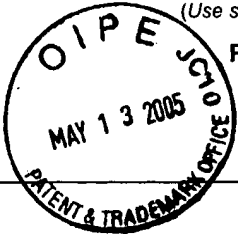
This Information Disclosure Statement is being filed with the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement under 37 C.F.R. § 1.97(e) or fee is required. However, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05911.0007.CNUS05.

Respectfully submitted,

  
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<p align="center"><b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i></p> <p align="center"><b>PTO FORM 1449</b></p> 	ATTY. DOCKET NO. *05911.0007.CNUS05	APPLICATION NO. *10/686,502
	APPLICANT ISHIKAWA, et al.*	
	FILING DATE October 14, 2003*	GROUP *1773

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	2.	4,123,788	10/31/78	Kruger			
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	76.	JP 57-120230 (previously considered; copy included with	07/27/82	Nakayama			x	

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	122.	Expert Report of Arthur Moore regarding Invalidity of the '363 and '529 Patents dated December 13, 2004
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	124.	Supplemental Expert of James Lemke regarding invalidity of the '363 and '529 Patents dated December 20, 2004

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<p align="center"><b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i></p> <p align="center"><b>PTO FORM 1449</b></p>	ATTY. DOCKET NO. *05911.0007.CNUS05	APPLICATION NO. *10/686,502
	APPLICANT ISHIKAWA, et al.*	
	FILING DATE October 14, 2003*	GROUP *1773

	125.	Expert Report of Jimmy Godwin regarding Invalidity of the '363 and '529 Patents dated December 13, 2004
	126.	Defendant Quantum's Notice to Storage Technology Pursuant to 35 U.S.C. 282 dated February 18, 2005
	127.	Amendment in U.S. Application Serial No. 10/346,197 dated December 7, 2004
	128.	Office Action in U.S. Application Serial No. 10/346,197 dated February 7, 2005

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